

BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING

JAN 31 2000

OIP
PATENT & TRADEMARK
OFFICE

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below-named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Invent Title:

MOLECULAR PATHOGENICIDE MEDIATED PLANT DISEASE RESISTANCE

If in Appropriate
Information -
or Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on October 18, 1999 asUnited States Application Number 09/419,788

and amended on _____

(If applicable) and/or

the specification was filed on _____

as PCT

International Application Number _____

and was

amended under PCT Article 19 on _____

(If applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Insert Priority
Information:
(if appropriate)

98 11 9630.6

(Number)

Europe

(Country)

October 16, 1998

(Month/Day/Year Filed)

☒☐

Yes

No

666/BOM/1998

(Number)

India

(Country)

October 16, 1998

(Month/Day/Year Filed)

☒☐

Yes

No

(Number)

(Country)

(Month/Day/Year Filed)

☐☐

Yes

No

(Number)

(Country)

(Month/Day/Year Filed)

☐☐

Yes

No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional
Application(s):
(if any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country

Application Number

Date of Filing (Month/Day/Year)

Insert Requested
Information:
(if appropriate)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart
Joseph A. Kolasch
Bernard L. Sweeney
Charles Gorenstein
Leonard R. Svensson
Andrew D. Meikle
Joe McKinney Muncy
John W. Bailey

(Reg. No. 21,066)
(Reg. No. 22,453)
(Reg. No. 24,446)
(Reg. No. 29,271)
(Reg. No. 30,330)
(Reg. No. 32,868)
(Reg. No. 32,334)
(Reg. No. 32,881)

Terrell C. Birch
James M. Stantery
Michael K. Mutter
Gerald M. Murphy, Jr.
Terry L. Clark
Marc S. Weiner
Donald J. Dalcy
John A. Castellano

(Reg. No. 19,382)
(Reg. No. 28,380)
(Reg. No. 29,680)
(Reg. No. 28,977)
(Reg. No. 32,644)
(Reg. No. 32,181)
(Reg. No. 34,313)
(Reg. No. 35,094)



Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP

or

Customer No. 2292

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:
YOU MUST
COMPLETE
THE
FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. Name of First
or Sole Inventor,
last Name of
Inventor
Last Date This
Document is Signed

Last Residence
Last Citizenship

Last Post Office
Address

2. Name of Second
Inventor, if any
Last Date

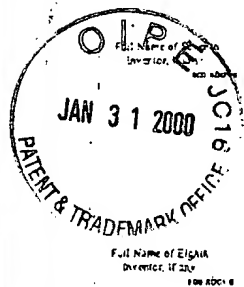
3. Name of Third
Inventor, if any
Last Date

4. Name of Fourth
Inventor, if any
Last Date

5. Name of Fifth
Inventor, if any
Last Date

GIVEN NAME/FAMILY NAME FISCHER, Rainer	INVENTOR'S SIGNATURE <i>Rainer Fischer</i>	DATE* 17-1-2000
Residence (City, State & Country) Aachen, Germany	CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Senserbachweg 218, 52074 Aachen, Germany		
GIVEN NAME/FAMILY NAME SCHILLBERG, Stefan	INVENTOR'S SIGNATURE <i>Stefan Schillberg</i>	DATE* 13.1.00
Residence (City, State & Country) Aachen, Germany	CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Bremenberg 24, 52072 Aachen, Germany		
GIVEN NAME/FAMILY NAME NAHRING, Jorg	INVENTOR'S SIGNATURE <i>Jorg Nahrung</i>	DATE* 13-01-00
Residence (City, State & Country) Aachen, Germany	CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Kutlenhofwinkel 38A, 52074 Aachen, Germany		
GIVEN NAME/FAMILY NAME SACK, Markus	INVENTOR'S SIGNATURE <i>Markus Sack</i>	DATE* 17.01.2000
Residence (City, State & Country) Aachen, Germany	CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Brabanter Weg 17, 52134 Aachen, Germany		
GIVEN NAME/FAMILY NAME MONECKE, Michael	INVENTOR'S SIGNATURE <i>Michael Monecke</i>	DATE* 13.01.00
Residence (City, State & Country) Aachen, Germany	CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Roermonderstr. 42, 52072 Aachen, Germany		

*DATE OF SIGNATURE



GIVEN NAME/FAMILY NAME LIAO, Yu-Cai		INVENTOR'S SIGNATURE <i>Yu-Cai Liao</i>	DATE* 13.0.2000
Residence (City, State & Country) Aachen, Germany		CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Vaelserstr. 48, 52064 Aachen, Germany			
GIVEN NAME/FAMILY NAME SPIEGEL, Holger		INVENTOR'S SIGNATURE <i>Holger Spiegel</i>	DATE* 17.1.2000
Residence (City, State & Country) Aachen, Germany		CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Hohenweg 78, 52072 Aachen, Germany			
GIVEN NAME/FAMILY NAME ZIMMERMAN, Sabine		INVENTOR'S SIGNATURE <i>Sabine Zimmermann</i>	DATE* 18.1.2000
Residence (City, State & Country) Aachen, Germany		CITIZENSHIP Germany	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Rochusstr. 48, 52062 Aachen, Germany			
GIVEN NAME/FAMILY NAME EMANS, Nell		INVENTOR'S SIGNATURE <i>Nell Emans</i>	DATE* 12/01/00
Residence (City, State & Country) Thimister-Clermont, Belgium		CITIZENSHIP Belgium U.K.	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Val de la Berwinne 13, B-4890 Thimister-Clermont, Belgium			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

*DATE OF SIGNATURE